GOVERNMENT OF INDIA
PANCHAYATI RAJ
LOK SABHA

UNSTARRED QUESTION NO:1895
ANSWERED ON:10.12.2015
Panchayati Raj Institutions
Sampath Shri Anirudhan

Will the Minister of PANCHAYATI RAJ be pleased to state:

(a) the total number of States which have implemented the constitutional provisions including the 73rd and 74th Amendments to the Constitution regarding the Panchayati Raj Institutions (PRIs);

(b) whether the State Governments have devolved all the powers/functions of local self governance to the PRIs as per the constitutional provisions;

(c) if so, the details of such States along with name of those States which have not done so along with the reasons therefor; and

(d) the steps taken/being taken by the Government in this regard?

Answer

MINISTER OF STATE FOR PANCHAYATI RAJ
(SHRI NIHAL CHAND)

(a) Panchayat is a State subject as per the Constitution of India. Mandatory provisions of the Constitution relating to Panchayats have been generally complied by States. These provisions include: setting up of three tiers of Panchayats except in States with population below 20 lakhs where two tier of Panchayats may be set up; elections to Panchayats every five years; reservations in seats and offices for the Scheduled Castes and Scheduled Tribes and women; constitution of State Finance Commissions; setting up of State Election Commissions (SECs) and vesting these with the superintendence, direction and control of elections to the Panchayats; and constitution of District Planning Committees (DPCs). Elections to Panchayats as due have not been held in Puducherry.
As per the Constitution States have discretion regarding the powers of Gram Sabhas and Panchayats, direct or indirect election of presidents of Village Panchayats, reservation in favour of backward class of citizens. Accordingly all Part IX States have enacted Panchayati Raj Acts incorporating relevant provisions as to these discretionary powers.
(b) & (c) Under Article 243G of Part IX of the Constitution State Legislatures are to endow the Panchayats with powers and authority to enable them to function as institutions of local self-governance. The Constitution allows discretion to the States in the matter of devolution of powers to Panchayats. States vary significantly in the extent to which they have devolved powers to the Panchayats to plan, implement and monitor schemes for economic development and social justice. As per the Devolution Index Study conducted by an independent agency Tata Institute of Social Sciences (TISS), States of Kerala, Sikkim, Karnataka, Maharashtra & West Bengal have devolved most powers to Panchayats.

(d) The Ministry of Panchayati Raj (MoPR) has continuously persuaded the State Governments to devolve powers to the Panchayats and also provided assistance to the States/UTs for capacity building of Panchayats to enable them to perform devolved functions effectively and efficiently. MoPR also recognizes and incentivizes the States/UTs for devolution of powers to Panchayats.
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